

or offer for sale in this state a decorative gas lamp manufactured after December 31, 1978.

2. As used in this section "decorative gas lamp" means a device installed for the purpose of producing illumination by burning natural, mixed or liquid petroleum gas and utilizing either a mantle or an open flame, but does not include portable camp lanterns or gas lamps.

3. Persons convicted of violating this section shall be guilty of a simple misdemeanor.

Sec. 8. This Act is effective January 1, 1979.
Approved June 27, 1978

CHAPTER 1166

SKILLED NURSING CARE INSURANCE

H. F. 2273

AN ACT amending the laws applicable to accident and health insurance policies by restricting the sale of skilled nursing care coverage and requiring that the insured be given thirty days after delivery of the policy within which to return the policy and obtain a refund of the premium paid.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section five hundred seven B point four (507B.4), Code 1977, is amended by adding the following new subsections:

NEW SUBSECTION. Selling, offering for sale, delivering or issuing for delivery, or renewing in this state a policy of accident and sickness insurance as defined in section five hundred fourteen A point one (514A.1) of the Code which contains any insurance or indemnity benefit, whether as primary coverage or as supplemental coverage, for loss incurred as a result of expenses for health care provided by a skilled nursing facility as defined in subsection three (3) of section one hundred thirty-five C point one (135C.1) of the Code. Provided, however, that nothing contained in this subsection shall be deemed to prohibit the renewal of any existing insurance or indemnity benefit contained in a policy which was issued for delivery or delivered in this state prior to the effective date of this Act if the benefit, by the terms of the policy, is guaranteed by the company to be renewable at the election of the policyholder.

NEW SUBSECTION. Selling, offering for sale, delivering

or issuing for delivery, or renewing in this state a policy of accident and sickness insurance as defined in section five hundred fourteen A point one (514A.1) of the Code which contains any insurance or indemnity benefit, whether as primary coverage or as supplemental coverage, for loss incurred as a result of expenses for skilled nursing services rendered at an intermediate care facility as defined in subsection two (2) of section one hundred thirty-five C point one (135C.1) of the Code, except when included in a policy which:

a. Provides an insurance or indemnity benefit which is determined by the total amount of the expenses incurred by the insured for care provided at the intermediate care facility; and

b. Provides for payment of the insurance or indemnity benefit irrespective of the nature of the care received and irrespective of the person administering the care. Nothing in this paragraph, however, shall be deemed to prohibit an insurer from excluding from coverage under an intermediate care facility policy any expenses incurred for the delivery of goods or services which are not reasonably necessary in rendering health care at an intermediate care facility, or any portion of expenses for reasonably necessary goods or services which under the particular circumstances is excessive when compared with charges for the same or similar goods or services provided at other intermediate care facilities in this state.

Provided, however, that nothing contained in this subsection shall be deemed to prohibit the renewal of any existing insurance or indemnity benefit contained in a policy which was issued for delivery or delivered in this state prior to the effective date of this Act if the benefit, by the terms of the policy, is guaranteed by the company to be renewable at the election of the policyholder.

Sec. 2. Section five hundred fourteen A point three (514A.3), subsection one (1), Code 1977, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. A provision as follows:

RIGHT TO RETURN POLICY. The insured has the right, within ten days after receipt of this policy, to return it to the company at its home office or branch office or to the agent through whom it was purchased, and if so returned the premium paid will be refunded and the policy will be void from the beginning and the parties shall be in the same position as if a policy had not been issued.

(In addition to incorporating the foregoing provision into the policy, the insurer shall deliver to the insured at the time of delivery of the policy a duplicate statement of the foregoing provision which shall be contained in conspicuous print on a separate and otherwise blank sheet of paper.)

Sec. 3. The provisions of this Act shall apply to any insurance policy which is delivered or issued for delivery or renewed in this state on or after the effective date of this Act.

Approved June 13, 1978

CHAPTER 1167

INSURANCE PLANS FOR PUBLIC EMPLOYEES

H. F. 2330

AN ACT redefining the term "governing body" as used in chapter five hundred nine A (509A) of the Code, relating to insurance plans for public employees.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section five hundred nine A point eleven (509A.11), subsection one (1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Extraordinary Session, chapter one (1), section thirty-seven (37), is amended to read as follows:

1. The words "governing body" means the executive council of the state ~~for-all-state-employees-and-for-purposes-of-this-chapter-includes-employees-of-the-state-board-of-regents-for-purposes-of-health-and-life-insurance-only~~, the board of supervisors of counties, the school boards of school districts, and the superintendent or other person in charge of an institution supported in whole or in part by public funds.

Approved June 23, 1978